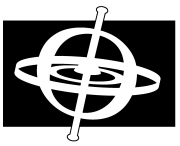

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June 11, 2004

BY ELECTRONIC CASE FILING AND BY HAND

The Honorable Mark L. Wolf
United States District Court
1 Courthouse Way
Boston, MA 02210

Re: Biogen, Inc. et al. v. The Trustees of Columbia University
C.A. No. 03-CV-11329-MLW
Part of MDL Docket No. 1592

Dear Judge Wolf:

This responds to Columbia's letter to the Court of June 10, 2004 concerning its "emergency" motion to seal a patent prosecution document and restrict disclosure of it to the parties' outside counsel. Biogen and Genzyme oppose this motion.

There is no emergency. Biogen and Genzyme filed the document in question -- which the Patent Office has repeatedly made available to third parties -- as an attachment to a brief submitted electronically on May 26. As Columbia's motion papers show, when Columbia raised this issue by letter to Biogen and Genzyme on May 27, they responded the very next day and made their position clear. Gindler Decl., Ex. E. If there had been a real emergency, Columbia would have contacted the Court immediately. Instead, Columbia allowed the purportedly confidential material to remain on the Court's publicly accessible Web site for the world to see for ***fifteen days*** before abruptly claiming that the disclosure created a judicial emergency. Columbia's actions belie this claim.

Columbia's claimed need for secrecy is illusory. The document in question reveals simply another attempt by Columbia to reiterate patent claims Columbia first obtained decades ago in the parent patent to the '275 patent. Thus, the purportedly secret information has been a matter of public record since the issuance of that first patent more than two decades ago. Moreover, Columbia's investigation at the Patent Office will show that the Patent Office has repeatedly disclosed the

supposedly confidential materials to third parties, thus placing them in the public domain.

Columbia's assertion that the file history of its pending '159 patent application should be restricted to the parties' outside counsel is particularly inappropriate inasmuch as plaintiffs all entered into licenses with Columbia which gave them a property interest in the very material Columbia seeks to withhold from them. The idea that Columbia should be able to conceal the scope of the licensed property from its licensees is preposterous.

In any event, Biogen and Genzyme are prepared to respond to the motion to seal on or before June 18. Because they will respond quickly, they ask that the Court not take action on Columbia's motion until it has been fully briefed.

Very truly yours,

Claire Laporte

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CL:ct

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